

U.S. COURT
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.
HINCKLEY, JACQUELINE T.
HLADUN, MARILYN J. CRAIG,
JEFFERY P. CLEVINGER, and
TIMOTHY C. KAUFMANN, individually
and on behalf of those similarly situated,

Plaintiffs,

vs.

MICRON ELECTRONICS, INC., a
Minnesota corporation,

Defendant.

Case No. CIV 01-0244-S-BLW

**PARTIES' SECOND AMENDED
STIPULATED MOTION TO ESTABLISH
NEW BRIEFING SCHEDULE ON FINAL
CLASS CERTIFICATION**

COMES NOW the above-named Plaintiffs and the Defendant (the "Parties") and hereby stipulate and so respectfully move that the Court enter an order regarding the same:

1. The Parties previously stipulated to a new briefing schedule on final certification (Docket No. 205) which was ordered by the Court (Docket No. 212). However, the Parties have encountered substantial difficulties with regard to discovery issues which will need to be

**PARTIES' AMENDED STIPULATED MOTION TO ESTABLISH NEW BRIEFING
SCHEDULE ON FINAL CLASS CERTIFICATION - 1**

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resolved by court intervention. In order to allow time for the Honorable Judge Williams to resolve these differences, the Parties have obtained a new hearing date for final class certification of November 16, 2004 at 1:00 p.m. (a revised notice of hearing has been filed).

2. In order to resolve their discovery disputes and to complete the discovery, the Parties agree and move that the briefing schedule previously set concerning final class certification (Docket No. 212) be reset as follows:

Plaintiffs' motion and supporting briefing for final class certification shall be filed on or before **October 14, 2004**.

All Defendants' response briefing opposing final certification shall be filed on or before **November 3, 2004**.

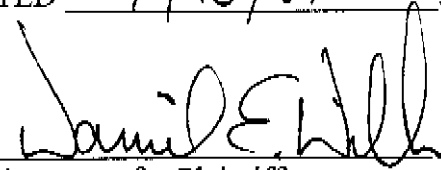
Plaintiffs' reply briefing in support of final class certification shall be filed on or before **November 9, 2004**.

3. The Parties also specifically agree and represent to the Court that this proposed schedule and suspension of certain discovery and briefing deadlines shall not prejudice, compromise or alter the trial date previously set in this case for July 11, 2005. (Docket No. 166, p.1, ¶ 1.)

DATED

7/13/04

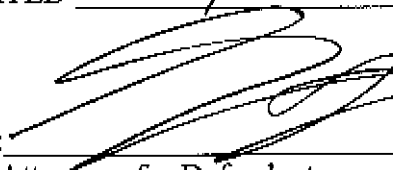
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DATED

7/13/04

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PARTIES' AMENDED STIPULATED MOTION TO ESTABLISH NEW BRIEFING SCHEDULE ON FINAL CLASS CERTIFICATION - 2